

## Public Health Service, HHS

## § 58.201

45 CFR part 86—Nondiscrimination on the basis of sex in education programs and activities receiving or benefiting from Federal financial assistance

45 CFR part 91—Nondiscrimination on the basis of age in HHS programs or activities receiving Federal financial assistance

45 CFR part 93—New restrictions on lobbying

[55 FR 37481, Sept. 12, 1990, as amended at 57 FR 45746, Oct. 5, 1992. Redesignated at 59 FR 63903, Dec. 12, 1994; 61 FR 6129, Feb. 16, 1996]

### **§ 57.4114 “What other audit and inspection requirements apply to grantees?”**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 74 concerning audit and inspection.

[ 59 FR 63903, Dec. 12, 1994]

### **§ 57.4115 Additional conditions.**

The Secretary may impose additional conditions on any grant award before or at the time of any award if he or she determines that these conditions are necessary to assure or protect the advancement of the approved activity, the interest of the public health, or the conservation of grant funds.

[55 FR 37481, Sept. 12, 1990. Redesignated at 59 FR 63903, Dec. 12, 1994]

## **PART 58—GRANTS FOR TRAINING OF PUBLIC HEALTH AND ALLIED HEALTH PERSONNEL**

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### **Subpart E—F—[Reserved]**

### **Subpart A—B—[Reserved]**

### **Subpart C—Grants for Public Health Traineeships for Students in Schools of Public Health and in Other Graduate Public Health Programs**

**AUTHORITY:** Sec. 215 of the Public Health Service Act, 58 Stat. 690, as amended by 63 Stat. 35 (42 U.S.C. 216); sec. 748 of the Public Health Service Act, 90 Stat. 2279, as amended by 91 Stat. 1505; as amended and redesignated as sec. 792 of the Public Health Service Act by 95 Stat. 927 (42 U.S.C. 295h-1b); renumbered as sec. 761, as amended by Pub. L. 102-408, 106 Stat. 2045 (42 U.S.C. 294).

**SOURCE:** 45 FR 73661, Nov. 6, 1980, unless otherwise noted.

### **§ 58.201 To what grant program do these regulations apply?**

These regulations apply to the award of grants to eligible educational entities under section 761 of the Public

Health Service Act (42 U.S.C. 294) to provide funds for traineeships for students enrolled in graduate or specialized training in public health.

[47 FR 54439, Dec. 3, 1982, as amended by 61 FR 6129, Feb. 16, 1996]

#### § 58.202 Definitions.

*Act* means the Public Health Service Act, as amended.

*Educational entity* means a school, college, or university which is accredited by a body or bodies recognized for this purpose by the Secretary of Education or an institution which provides specialized training in public health.

*Fiscal year* means the Federal fiscal year, beginning October 1 and ending the following September 30.

*Full-time student* means a student who is either (1) in a residency program in preventive medicine or dentistry or (2) is enrolled on a full-time basis in a graduate program in public health and who is enrolled for a sufficient number of credit hours in a semester or other academic term to enable the student to complete the course of study within not more than the number of semesters of other academic terms normally required to complete that course of study on a full-time basis at the school in which the student is enrolled.

*Graduate program or graduate training* means a program of education leading to a master's degree or equivalent or doctoral degree or equivalent.

*National of the United States* means (as defined in the Immigration and Nationality Act at 8 U.S.C. 1101(a)(22)) (1) a citizen of the United States or (2) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.

*Nonprofit* refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

*School of Public Health* means a public or non-profit private school which provides training leading to a graduate degree in public health or equivalent degree and is accredited according to section 799(l)(E) of the Public Health Service Act.

*Secretary* means the Secretary of the Department of Health and Human Services or any officer or employee of the Department to whom the authority involved has been delegated.

*Specialized training in public health or specialized training in preventive medicine or dentistry* means a residency training program approved by the Liaison Committee on Graduate Medical Education or by the Commission on Dental Accreditation leading to board eligibility in a specialty in preventive medicine or dental public health respectively.

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

*Trainee* means a student who is receiving traineeship funds from a grant made under these regulations.

[45 FR 73661, Nov. 6, 1980, as amended at 47 FR 54439, Dec. 3, 1982; 61 FR 6129, Feb. 16, 1996]

#### § 58.203 Who is eligible to apply for a grant?

The following are eligible for grants:

- (a) Any accredited school of public health which is located in a State; and
- (b) Any other public or nonprofit private educational entity which is located in a State and provides graduate or specialized training in public health. However, no entity of this type may obtain an award under this subpart to support traineeships in health administration, hospital administration, or health policy analysis and planning.<sup>1</sup>

[45 FR 73661, Nov. 6, 1980, as amended at 47 FR 54439, Dec. 3, 1982; 61 FR 6130, Feb. 16, 1996]

#### § 58.204 How will applications be evaluated?

- (a) The Secretary will award a grant to each eligible school of public health

<sup>1</sup>For traineeships in health administration, hospital administration, or health policy analysis and planning, educational entities which are *not* accredited schools of public health may only apply under section 771 of the Act.

which submits an application containing all the information and assurances requested in the required form and time.

(b) For public and nonprofit educational entities other than schools of public health, the Secretary will decide which applications to approve by considering, among other factors:

(1) The administrative and management ability of the applicant to carry out the proposed project in a cost-effective manner;

(2) The degree of need for the professionals to be trained; and

(3) The adequacy of the staff and faculty; and

(4) Whether the applicant's graduate programs in environmental or occupational health or dietetics and nutrition, or both, meet the requirements in paragraphs § 58.208(c) and (d).

Within the limits of funds available for competing awards the Secretary will award grants to those approved applicants whose traineeship programs will best promote the purposes of section 761 of the Act.

[45 FR 73661, Nov. 6, 1980, as amended at 47 FR 54439, Dec. 3, 1982; 61 FR 6130, Feb. 16, 1996]

#### § 58.205 How is the amount of the award determined?

(a) *Grants to schools of public health.* The Secretary will use a formula to determine the amount of the grant to be awarded to each school of public health with an approved application.

This formula is

$$G = \frac{SS}{TS} \times AF$$

G is the amount of the grant award; SS is the number of eligible full-time and full-time equivalent students of each applicant enrolled in severe shortage occupations targeted for support (epidemiology, environmental health, biostatistics, toxicology, public health nutrition, and maternal and child health); TS is the total number of students enrolled in graduate and specialized training in all schools of public health with approved applications; and AF is the amount of traineeship funds under this program that the Secretary has designated for award to schools of public health for that fiscal year. The Secretary will determine the number of students enrolled in graduate and specialized

training in public health at the school (SS) with the formula

$$SS = FTS + \frac{PTC}{9}$$

FTS is the number of full-time students, and PTC is the total number of credit hours in which part-time students are enrolled. If necessary, the figure for

$$\frac{PTC}{9}$$

will be rounded to the next highest number. Students will be counted as of October 15 of the fiscal year in which application is made. The amount of a grant will never exceed the amount requested by the applicant.

(b) *Grants to public and nonprofit private educational entities.* The remaining funds will be available to meet continuation commitments and to award on a competitive basis to eligible public or nonprofit private educational entities other than schools of public health. The Secretary will determine the amount of these awards by estimating the sum necessary during the budget period to cover the tuition, fees, stipends, and allowances (including travel costs approved by the Secretary) for full-time students, and the tuition and fees for part-time students which the applicant proposes to provide to its trainees.

[45 FR 73661, Nov. 6, 1980, as amended at 47 FR 54440, Dec. 3, 1982; 61 FR 6130, Feb. 16, 1996]

#### § 58.206 How long does grant support last?

(a) The written notice of grant award specifies the period during which formula grant funds are available for obligation by the grantee, or the period during which the recipient of a competitive grant award need not recompute for funds. This period will not exceed one year for formula grants and 3 years for competitive grants. The period during which recompetition is not necessary is called the project period.

(b) Generally a competitive grant will initially be funded for one year, and subsequent continuation awards will also be for one year at a time. A grantee must submit a separate application to have the support continued

for each subsequent year. Decisions regarding continuation awards and the funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, and the availability of funds. In all cases, continuation awards require a determination by the Secretary that continued funding is in the best interest of the Federal Government.

(c) Neither the approval of any application nor the award of any grant commits or obligates the Federal Government in any way to make any additional, supplemental, continuation or other award with respect to any approved application or portion of an approved application.

(d) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward to the next budget period, for use as prescribed by the Secretary, provided a continuation award is made. If at any time during a budget period it becomes apparent to the Secretary that the amount of Federal funds awarded and available to the grantee for that period, including any unobligated balance carried forward from prior periods, exceeds the grantee's needs for the period, the Secretary may adjust the amounts awarded by withholding the excess. A budget period is an interval of time (usually 12 months) into which the project period is divided for funding and reporting purposes.

**§ 58.207 For what purposes may grant funds be spent?**

(a) A grantee shall only spend funds it receives under this subpart according to the approved application and budget, the authorizing legislation, terms and conditions of the grant award, applicable cost principles specified in subpart Q of 45 CFR part 74, and these regulations. Use of grant funds to meet the direct or indirect administrative costs of the training institution is not authorized.

(b) Grantees may not spend grant funds for sectarian instruction or for any religious purpose.

**§ 58.208 What are the requirements for appointment of trainees?**

(a) The grantee must require each trainee to complete a statement of appointment by the beginning of the training period, or as soon as possible if the trainee receives notice of his or her traineeship appointment after the training period has begun. The program director must sign the statement on behalf of the grantee and the original copy of the statement must be retained by the grantee to be available for program review and financial audit. The grantee must also send a copy of the statement to the Secretary upon request.

(b) The grantee must require full-time trainees to sign a statement that they will not undertake employment during their traineeships which would interfere with their ability to satisfactorily complete the training program in a timely fashion.

(c) The grantee may not require trainees to perform any work which is not an integral part of their training program and required of all students in the program, or to perform services which detract from or prolong their training.

(d) The grantee must advise each trainee who is enrolled in a course of study which requires more than twelve months that continued support under this program is contingent upon the continued availability of grant funds.

(Approved by the Office of Management and Budget under control number 0915-0060)

[45 FR 73661, Nov. 6, 1980, as amended at 47 FR 54440, Dec. 3, 1982; 61 FR 6130, Feb. 16, 1996]

**§ 58.209 Who is eligible for financial assistance as a trainee?**

(a) To be eligible for a traineeship, an individual must meet the following conditions:

(1) Trainees must be United States citizens, non-citizen nationals, or foreign nationals having in their possession a visa permitting permanent residence in the United States.

(2) New trainees must be pursuing a graduate degree in a health professions field in which there is a severe shortage of health professionals (including

the fields of epidemiology, environmental health, biostatistics, toxicology, public health nutrition, and maternal and child health). Ongoing traineeship commitment will be continued.

(3) All trainees must meet the school's admission requirements specified in the approved grant application.

(b) Traineeship support may not be provided to:

(1) Individuals who do not meet the qualifications for admission as specified in the approved application;

(2) Full-time Federal employees unless they are on Leave Without Pay status;

(3) Students pursuing training at the undergraduate level;

(4) Students in programs designed to prepare them for careers in research;

(5) Preventive medicine and dental public health residents (section 763 of the Act may be used for these students); or

(6) Individuals on temporary or student visas.

[61 FR 6130, Feb. 16, 1996]

#### **§ 58.210 What financial support is available to trainees?**

(a) Expenditures are limited to:

(1) Tuition and fees, in accordance with the established rates of the institution except as limited by the Secretary.

(2) Stipends, for full time students, in whatever amount the grantee determines that each trainee needs to pursue the training program, as long as that amount does not exceed the limits established by the Secretary.

(3) Transportation allowances on an individual basis when prior approval has been obtained from the Secretary in the following circumstances:

(i) In cases of extreme need, the grantee may pay a trainee an allowance from grant funds for travel from his or her residence to the training site.

(ii) The grantee may pay a trainee an allowance from grant funds for travel to field training if the site is beyond a reasonable commuting distance and requires the trainee to establish a temporary new residence. However, the grantee may not pay an allowance for daily commuting from the new place of

residence to the field training headquarters.

(iii) The grantee may pay a trainee an allowance from grant funds for domestic travel to conduct research to meet dissertation requirements.

(b) The grantee may not give a stipend or allowance to a part-time trainee, but may give a traineeship award to pay a part-time trainee's tuition and fees.

#### **§ 58.211 Duration of traineeships.**

Traineeships must be for a full academic year, except an appointment for less than a full academic year may be made when the student will complete the program of study at the termination of the appointment, or when joint-degree programs require enrollment at another unit of the grantee institution for part of the academic year. A traineeship may not exceed 12 months in duration. However, consecutive or subsequent traineeship appointments may be made if a student's required program of study exceeds 12 months. Training for which the student receives a traineeship must begin during the period for which funds are made available, but may extend beyond the end of this period.

#### **§ 58.212 Termination of traineeship.**

The grantee must terminate a traineeship:

(a) Upon request of the trainee;

(b) If the trainee withdraws from the grantee institution; or

(c) If the grantee determines that

(1) The trainee is no longer an enrolled student; or

(2) The trainee is not eligible or able to continue in attendance in accordance with its standards and practices.

#### **§ 58.213 What additional Department regulations apply to grantees?**

Several other regulations apply to grantees. They include, but are not limited to:

42 CFR part 50—subpart D—Public Health Service grant appeals procedure

45 CFR part 16—Procedures of the Departmental Grant Appeals Board

45 CFR part 46—Protection of human subjects

45 CFR part 74—Administration of grants

45 CFR part 80—Nondiscrimination under programs receiving Federal financial assistance through the Department of Health and Human Services effectuation of title VI of the Civil Rights Act of 1964

45 CFR part 81—Practice and procedure for hearings under part 80 of this title

45 CFR part 83—Regulation for the administration and enforcement of sections 794 and 855 of the Public Health Service Act

45 CFR part 84—Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from Federal financial assistance

45 CFR part 86—Nondiscrimination on the basis of sex in education programs and activities receiving or benefiting from Federal financial assistance

45 CFR part 91—Nondiscrimination on the basis of age in HHS programs or activities receiving Federal financial assistance

45 CFR part 93—New restrictions on lobbying

[49 FR 38116, Sept. 27, 1984, as amended at 61 FR 6130, Feb. 16, 1996]

**§ 58.214 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 74 concerning audit and inspection.

[61 FR 6130, Feb. 16, 1996; 61 FR 51020, Sept. 30, 1996]

**§ 58.215 Additional conditions.**

The Secretary may impose additional conditions in the grant award before or at the time of the award if he or she determines that these conditions are necessary to assure or protect the advancement of the approved activity, the interest of the public health, or the conservation of grant funds.

**Subpart D—Grants for Health Administration Traineeships and Special Projects Program**

**AUTHORITY:** Sec. 215 of the Public Health Service Act, 58 Stat. 690, 67 Stat. 631 (42 U.S.C. 216); sec. 749 of the Public Health Service Act, 90 Stat. 2280, Pub. L. 94–484 (42 U.S.C. 294s); redesignated as sec. 791A, amended by 95 Stat. 927, Pub. L. 97–35 and 96 Stat. 2061, Pub. L. 97–414 (42 U.S.C. 295h–1a); renumbered as sec. 771, amended by 106 Stat. 2049, Pub. L. 102–408 (42 U.S.C. 294i).

**SOURCE:** 45 FR 73658, Nov. 6, 1980, unless otherwise noted.

**§ 58.221 To what grant program do these regulations apply?**

These regulations apply to the award of grants to eligible educational entities under section 771 of the Public Health Service Act (42 U.S.C. 294i) to provide funds for traineeships for students enrolled in graduate programs in health administration, hospital administration, or health policy analysis and planning.

[45 FR 73658, Nov. 6, 1980, as amended at 49 FR 21535, May 22, 1984; 61 FR 6130, Feb. 16, 1996]

**§ 58.222 Definitions.**

*Act* means the Public Health Service Act, as amended.

*Educational entity* means a school, college, or university which is accredited by a body or bodies recognized for this purpose by the Secretary of Education.

*Fiscal year* means the Federal fiscal year, beginning October 1 and ending the following September 30.

*Full-time student* means a student who is enrolled on a full-time basis in a graduate program in health administration, hospital administration, or health policy analysis and planning, and who is enrolled for a sufficient number of credit hours in any semester or other academic term to enable him or her to complete the course of study within not more than the number of semesters or other academic terms normally required to complete that course of study at the school in which the student is enrolled.

*Graduate program* means a program of education leading to a master's degree or equivalent or a doctoral degree or equivalent.

*National of the United States* (as defined in 8 U.S.C. 110(a)(22), the Immigration and Nationality Act) means: (1) A citizen of the United States or (2) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.

*Nonprofit* refers to the status of an entity which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

*Secretary* means the Secretary of the Department of Health and Human Services or any officer or employee of the Department to whom the authority involved has been delegated.

*School of public health* means a public or private school in a State providing education leading to a graduate degree in public health or an equivalent degree, including advanced training related to public health, which is accredited as provided for in section 799(1)(E) of the Act.

*State* means, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

*Trainee* means a student who is receiving traineeship funds from a grant made under these regulations.

[45 FR 73658, Nov. 6, 1980, as amended at 49 FR 21535, May 22, 1984; 61 FR 6130, Feb. 16, 1996]

#### **§ 58.223 Who is eligible to apply for a grant?**

Any public or nonprofit private educational entity (excluding schools of public health) located in a State is eligible to apply for a grant to support traineeships in its graduate program in health administration, hospital administration, or health policy analysis and planning which has been accredited, or is about to be accredited, according to section 799(1)(E) of the Act.

[49 FR 21535, May 22, 1984, as amended at 61 FR 6130, Feb. 16, 1996]

#### **§ 58.224 How will applications be evaluated?**

(a) As required by section 798(a) of the Act, each application for a grant under this subpart shall be submitted to a peer review group, composed principally of non-Federal experts, for an evaluation of the merits of the proposals made in the application. The Secretary may not approve such an application unless a peer review group has

recommended the application for approval.

(b) The following criteria will be used for review of applications:

(1) The administrative and management ability of the applicant to carry out the proposed project in a cost-effective manner;

(2) The adequacy of the staff and faculty;

(3) The adequacy of institutional resources available to conduct graduate level education, to include the adequacy of teaching facilities;

(4) The adequacy of recruitment and placement assistance for students in accord with the legislative purpose and intent; and

(5) The extent to which the application justifies the purpose, scope, and need for traineeship and or special project grant.

(Approved by the Office of Management and Budget under control number 0915-0060)

[61 FR 6130, Feb. 16, 1996]

#### **§ 58.225 How is the amount of the award determined?**

The Secretary will use a formula to determine the amount of the grant award for each entity with an approved application. This formula is:

$$G = \frac{SS}{TS} \times AF$$

G is the amount of the grant award; SS is the number of students enrolled in approved graduate programs in health administration, hospital administration, or health policy analysis and planning at the school; TS is the total number of students in these programs at all schools with approved applications, and AF is the amount of available funds authorized under section 771 for traineeships in a given fiscal year. The Secretary will determine the number of students enrolled in these programs at the school (SS) with the formula:

$$SS = FTS + \frac{PTC}{9}$$

FTS is the number of full-time students enrolled in these programs and PTC is the total number of credit hours in which part-time students are enrolled. If necessary, the figure for PTC/9 will be rounded to the next highest number. Students will be counted as of October 15 of the fiscal year in which application is made. The amount of a grant will never exceed the amount requested by the applicant.

[45 FR 73658, Nov. 6, 1980, as amended at 49 FR 21536, May 22, 1984; 61 FR 6131, Feb. 16, 1996]

**§ 58.226 How long does grant support last?**

(a) The notice of grant award specifies the period during which funds are available for obligation by the grantee. This period will not exceed one year. If at any time during the period of the grant it becomes apparent to the Secretary that the amount of Federal funds awarded and available to the grantee for that period, exceeds the grantee's needs for that period, the Secretary may adjust the amounts awarded by withdrawing the excess.

(b) Neither the approval of any application nor the award of any grant commits or obligates the Federal Government in any way to make any additional, supplemental, continuation or other award with respect to any approved application or portion of an approved application.

**§ 58.227 For what purposes may grant funds be spent?**

(a) A grantee shall only spend funds it receives under this subpart according to the approved application and budget, the authorizing legislation, terms and conditions of the grant award, applicable cost principles in subpart Q of 45 CFR part 74, and these regulations. Use of traineeship funds to meet the direct or indirect administrative costs of the training institution is not authorized.

(b) Grantees may not spend grant funds for sectarian instruction or for any religious purpose.

**§ 58.228 Who is eligible for financial assistance as a trainee?**

To be eligible for a traineeship, an individual must meet the following conditions:

(a) The individual must be a resident of the United States and either a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States, a citizen of the Commonwealth of the Northern Mariana Islands, a citizen of the Republic of Palau, a citizen of the Republic of the Marshall Islands or a citizen of the Federated States of Micronesia.

(b) The individual must be accepted for enrollment, or be enrolled in a grantee's accredited graduate program in health administration, hospital administration, or health policy analysis and planning;

(c) The individual may not be receiving concurrent support for the same training from another Federal source except education benefits under the Veteran's Readjustment Benefits Act.

[45 FR 73658, Nov. 6, 1980, as amended at 49 FR 21536, May 22, 1984. Redesignated and amended at 61 FR 6131, Feb. 16, 1996]

**§ 58.229 What financial support is available to trainees?**

(a) The grantee may use grant funds to pay for:

(1) Tuition and fees, in accordance with the established rates of the institution except as limited by the Secretary;

(2) Stipends, for full time trainees in whatever amount the grantee determines that each trainee needs to pursue the training program, as long as that amount does not exceed the limits established by the Secretary;

(3) Transportation allowances on an individual basis when prior approval has been obtained from the Secretary in the following circumstances:

(i) In cases of extreme need, the grantee may pay a trainee an allowance from grant funds for travel from his or her residence to the training site.

(ii) The grantee may pay a trainee an allowance from grant funds for travel to field training if the site is beyond a reasonable commuting distance and requires the trainee to establish a temporary new residence. However, the grantee may not pay an allowance for daily commuting from the new place of residence to the field training headquarters.



(iii) The grantee may pay a trainee an allowance from grant funds for domestic travel to conduct research to meet dissertation requirements.

(b) The grantee may not give a stipend or allowance to a part-time trainee, but may give a traineeship award to pay a part-time trainee's tuition and fees.

[45 FR 73658, Nov. 6, 1980. Redesignated at 61 FR 6131, Feb. 16, 1996]

#### **§ 58.230 Duration of traineeships.**

A traineeship must be for a full academic year except that an appointment for less than a full academic year may be made to a student who will complete his or her program of study in a lesser time or when joint-degree programs require enrollment at another unit of the grantee institution for part of the academic year. A traineeship may not exceed 12 months in duration. However a grantee may make consecutive or subsequent traineeship appointments to students whose required program of study exceeds 12 months. The training for which a student receives a traineeship must begin during the period for which funds are made available, but may extend beyond that period.

[45 FR 73658, Nov. 6, 1980. Redesignated at 61 FR 6131, Feb. 16, 1996]

#### **§ 58.231 Termination of traineeships.**

The grantee must terminate a traineeship:

- (a) Upon request of the trainee;
- (b) If the trainee withdraws from the grantee institution; or
- (c) If the grantee determines that:
  - (1) The trainee is no longer an enrolled student; or
  - (2) The trainee is not eligible or able to continue in attendance in accordance with its standards and practices.

[45 FR 73658, Nov. 6, 1980. Redesignated at 61 FR 6131, Feb. 16, 1996]

#### **§ 58.232 What additional Department regulations apply to grantees?**

Several other Department regulations apply to grantees. They include, but are not limited to:

42 CFR part 50, subpart D—Public Health Service grant appeals procedure

45 CFR part 16—Procedures of the Departmental Grant Appeals Board

45 CFR part 46—Protection of human subjects

45 CFR part 74—Administration of grants

45 CFR part 80—Nondiscrimination under programs receiving Federal assistance through the Department of Health and Human Services effectuation of title VI of the Civil Rights Act of 1964

45 CFR part 81—Practice and procedure for hearings under part 80 of this title

45 CFR part 83—Regulation for the administration and enforcement of sections 794 and 855 of the Public Health Service Act

45 CFR part 84—Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from Federal financial assistance

45 CFR part 86—Nondiscrimination on the basis of sex in education programs and activities receiving or benefiting from Federal financial assistance

45 CFR part 91—Nondiscrimination on the basis of age in HHS programs or activities receiving Federal financial assistance

45 CFR part 93—New restrictions on lobbying

[49 FR 38116, Sept. 27, 1984. Redesignated and amended at 61 FR 6131, Feb. 16, 1996]

#### **§ 58.233 What other audit and inspection requirements apply to grantees?**

Each entity which receives a grant under this subpart must meet the requirements of 45 CFR part 74 concerning audit and inspection.

[61 FR 6131, Feb. 16, 1996; 61 FR 51020, Sept. 30, 1996]

#### **§ 58.234 Additional conditions.**

The Secretary may impose additional conditions in the grant award before or at the time of the award if he or she determines that these conditions are necessary to assure or protect the advancement of the approved activity, the interest of the public health, or the conservation of grant funds.

[45 FR 73658, Nov. 6, 1980. Redesignated at 61 FR 6131, Feb. 16, 1996]

### **Subpart E—F—[Reserved]**

## **PART 59—GRANTS FOR FAMILY PLANNING SERVICES**

### **Subpart A—Project Grants for Family Planning Services**

Sec.